

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:04-CR-0069
	:	
v.	:	(Judge Conner)
	:	
TRINA SMITH	:	

ORDER

AND NOW, this 1st day of October, 2007, upon consideration of defendant's motion for leave to proceed *in forma pauperis* (Doc. 82), and the court finding that no filing fee is required in the above-captioned action because a motion filed pursuant to 28 U.S.C. § 2255 is "treated as having been filed in the underlying criminal case," see United States v. Buchanan, No. 03-198, 2005 WL 408043, at *2 (E.D. Pa. Feb. 18, 2005), it is hereby ORDERED that defendant's motion for leave to proceed *in forma pauperis* (Doc. 82) is DENIED as moot.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge